

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KRISTINE JENSEN,

Plaintiff,

VS.

CHRISTENSEN LAW OFFICES, L.L.C., *et al.*,

Defendants.

2

2:13-cv-02220-RFB-VCF

ORDER

Before the Court is Motion of Attorney Kathleen J. England to Withdraw as Attorney of Record for Plaintiff. (#32).

Relevant Background:

On December 5, 2013, Defendants filed a Petition for Removal from the Eighth Judicial District Court. (#1). Defendants' Motion to Dismiss was filed on December 23, 2013. (#11). On June 18, 2014, the Defendants filed a motion to stay discovery pending the court's ruling on Defendants' Motion to Dismiss. (#27). On August 12, 2014, Plaintiff's counsel filed the instant motion to withdraw as counsel. (#32). To date, no opposition has been filed. The discovery plan and scheduling order is now due November 13, 2014.

Motion To Withdraw As Counsel (#32):

Kathleen J. England, Esq. seeks to withdraw as counsel for Plaintiff Kristine Jensen. (#32). Ms. England cites irreconcilable differences between her and Plaintiff. Plaintiff asked Ms. England to file the motion to withdraw as counsel from this case. The court notes that the plaintiff, Kristine Jensen, is a licensed Nevada attorney, bar number 9302. On January 24, 2006, Ms. Jensen was admitted to practice in this court.

1 Discussion:

2 Pursuant to Local Rule IA 10-6(b), “[n]o attorney may withdraw after appearing in a case except
3 by leave of [c]ourt after notice has been served on the affected client and opposing counsel.” “Except
4 for good cause shown, no withdrawal or substitution shall be approved if delay of discovery, the trial or
5 any hearing in the case would result.” LR IA 10-6(e). Nevada Rule of Professional Conduct 1.16(b)(5)
6 provides that a lawyer may withdraw if the “client fails substantially to fulfill an obligation to the lawyer
7 regarding the lawyer’s services and has been given reasonable warning that the lawyer will withdraw
8 unless the obligation is fulfilled.”

9 Based on Plaintiff’s counsel’s representation of irreconcilable differences and Plaintiff’s request
10 that Ms. England withdraws from this case, the Court permits Ms. England to withdraw. LR IA 10-6(b);
11 NRPC 1.16(b)(5). Plaintiff’s Motion to Dismiss is fully briefed and pending in this action. Plaintiff has
12 sufficient time to retain new counsel, if she so chooses, before the discovery plan and scheduling order is
13 due. The Court finds that permitting Ms. England to withdraw would not result in delay. LR IA 10-
14 6(e).

15 Accordingly, and for good cause shown,

16 IT IS ORDERED that the Motion of Attorney Kathleen J. England to Withdraw as Attorney of
17 Record for Plaintiff (#32) is GRANTED.

18 IT IS FURTHER ORDERED that the Clerk of the Court will mail a copy of this order to
19 Plaintiff at the following address:

20 Kristine Jensen
21 6080 Mann Street
22 Las Vegas, Nevada 89118

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1 IT IS FURTHER ORDERED that Plaintiff must either retain counsel or file a notice of
2 appearing *pro se* within 30 days from the entry of this order.

3 DATED this 8th day of September, 2014.



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UNITED STATES MAGISTRATE JUDGE